

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

SHELIA KAY GOOLSBY

PLAINTIFF

v.

CIVIL ACTION NO.: 3:22-cv-43-MPM-JMV

**KILOLO KIJAKAZI, ACTING COMMISSIONER
OF THE SOCIAL SECURITY ADMINISTRATION**

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

On January 5, 2023, the Magistrate Judge entered a Report and Recommendation in which she recommended that the Plaintiff's motion for attorney's fees and the parties' Joint Stipulation for EAJA Fees and Costs be accepted. In their joint stipulation, the parties indicated that they have agreed to an award of the full \$7,595.00 in attorney's fees sought by plaintiff, but they agreed to a reduced award of costs totaling \$402.00. In her order, the Magistrate Judge found that:

[T]he requested award is reasonable; and no special circumstance would make the award unjust. Therefore, it is recommended that the Commissioner shall promptly pay Plaintiff \$7,595.00 in attorney fees for the benefit of his counsel and \$402.00 in costs payable from the Judgment Fund. As a matter of practice, an EAJA fee made payable to Plaintiff may properly be mailed to Plaintiff's attorney. It is further recommended that Defendant's payment of this amount bars any and all claims Plaintiff may have relating to EAJA fees and expenses in connection with this action. Finally, it is recommended that Defendant's payment of this amount is without prejudice to Plaintiff's right to seek attorney fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), subject to the offset provisions of the EAJA.

[Order at 2].

Neither party has objected to the Magistrate Judge's recommendation, and this court finds it to be reasonable and persuasive.

It is therefore ordered that the Magistrate Judge's Report and Recommendation is adopted as the order of this court.

This, the 12th day of June, 2023.



UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF MISSISSIPPI